

ORDINANCE NO. 16,387

AN ORDINANCE vacating portions of E. University Avenue right-of-way located north of and adjoining 1427 E. University Avenue.

WHEREAS, all prior requirements of law pertaining to the vacation of public right-of-way have been fully observed; and

WHEREAS, it is desirable that the public right-of-way herein described be vacated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Des Moines, Iowa:

Sec. 1. That portions of E. University Avenue right-of-way located north of and adjoining 1427 E. University Avenue, more specifically described as follows, be and is hereby vacated:

AN IRREGULAR SHAPED PORTION OF THE E UNIVERSITY AVENUE RIGHT OF WAY LYING WITHIN LOTS 278 THROUGH 284 INCLUSIVE, IN ASHBROOK, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 280; THENCE S89°58'54"W ALONG THE SOUTH LINE OF SAID LOT 280 , A DISTANCE OF 36.1 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S89°58'54"W ALONG THE SOUTH LINE OF SAID LOTS 280, 279 AND 278, A DISTANCE OF 107.39 FEET; THENCE N14°45'06"W, A DISTANCE OF 3.99 FEET; THENCE N80°50'33"E, A DISTANCE OF 51.57 FEET; THENCE N72°00'14"E, A DISTANCE OF 52.54 FEET; THENCE N66°29'40"E, A DISTANCE OF 107.60 FEET; THENCE NORTHEASTERLY ALONG A 350.0 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A DISTANCE OF 142.48 FEET, SAID CURVE HAVING A CHORD BEARING OF N78°09'24"E AND A CHORD LENGTH OF 141.50 FEET; THENCE N89°49'08"E, A DISTANCE OF 6.89 FEET; THENCE S01°03'17"W, A DISTANCE OF 9.94 FEET; THENCE N89°58'19"W, A DISTANCE OF 50.00 FEET; THENCE N01°03'17"E, A DISTANCE OF 6.82 FEET; THENCE SOUTHWESTERLY ALONG A 555.54 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY, A DISTANCE OF 112.45 FEET, SAID CURVE HAVING A CHORD BEARING OF S73°15'59"W AND A CHORD LENGTH OF 112.26 FEET; THENCE S67°04'54"W, A DISTANCE OF 93.90 FEET; THENCE S14°55'06"E, A DISTANCE OF 29.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,187 SQUARE FEET

Sec. 2. The City of Des Moines hereby reserves an easement upon the property described above for the continued use and maintenance of any utilities now in place, with the right of entry for servicing same.

Sec. 3. That the City Clerk is hereby authorized and directed to cause certified copies of this ordinance and proof of publication thereof together with proof of publication of the notice of the public hearing on this matter to be properly filed in the office of the Recorder of Polk County, Iowa.

Sec. 4. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED: Mackenzie L. Moreno, Assistant City Attorney

Connie Boesen, Mayor

Attest: I, Laura Baumgartner, City Clerk of the City of Des Moines, Iowa, hereby certify that the above and foregoing is a true copy of an Ordinance (Roll Call No. 24-1377), passed by the City Council of said City at the meeting held on October 7, 2024 and signed by the Mayor on October 7, 2024 and published and provided by law in the Business Record on October 25, 2024. Authorized by Publication Order No. 12800.

Laura Baumgartner, City Clerk